

REMARKS / DISCUSSION OF ISSUES

Claims 1, 3-6, and 8-22 are pending in the application. Claims 11-22 are newly added.

The applicants thank the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority documents, and for acknowledging that the drawings are acceptable.

Because the applicants' prior amendment and remarks had no effect on the determination of patentability of the claims, the claims are amended herein to restore them to their former state.

The Office action rejects:

claims 1, 3, 5-6, and 9-10 under 35 U.S.C. 103(a) over the applicants' admitted prior art (AAPA), Hobson et al. (USP 6,633,653, hereinafter Hobson), and Liao et al. (USP 6,654,479, hereinafter Liao); and

claims 4 and 8 under 35 U.S.C. 103(a) over AAPA, Hobson, Liao, and Hayashi (USPA 2003/0161496). The applicants respectfully traverse these rejections.

Hobson does not teach different versions of a watermark, wherein each version has different magnitudes of Fourier coefficients of a Fourier transform of the watermark, as specifically claimed in each of independent claims 1, 6, and 10.

MPEP 2142 states:

"To establish a *prima facie* case of obviousness ... the prior art reference (or references when combined) **must teach or suggest all the claim limitations**... If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness."

In this rejection, the Office action relies on Hobson for teaching different versions of a watermark with different magnitudes of Fourier coefficients, and asserts that Hobson's column 6, lines 45-62 and column 8, lines 34-44 provide this teaching. The applicants respectfully disagree with this assertion. At the cited text, Hobson addresses the discrete Fourier transform (DFT) of the block of input data, and not a Fourier transform of the watermark, as claimed. At the cited text, Hobson teaches:

"a discrete Fourier transform (DFT) is applied to the image on a block by block basis to generate a plurality of DFT coefficients, and a watermark is applied to each one of a selected number of DFT coefficients within a block" (Hobson, column 8, lines 35-40); and

"a further plot 6b ... shows the variance of the magnitude of the DFT coefficients of each block. An additional plot 6c shows the mean magnitude of the DFT coefficients of the blocks which were selected for watermarking with respect to the mean magnitude of all the DFT coefficients of the block." (Hobson, column 6, lines 53-58.)

Hobson does not teach or suggest a Fourier transform of a watermark, and does not teach or suggest providing different versions of the watermark having different magnitudes of Fourier coefficients.

Because Hobson fails to teach or suggest different versions of a watermark, wherein each version has different magnitudes of Fourier coefficients of a Fourier transform of the watermark, as specifically claimed in each of independent claims 1, 6, and 10, the applicants respectfully maintain that the rejections of claims 1, 3-6, and 8-10 under 35 U.S.C. 103(a) that rely on Hobson for this teaching are unfounded, per MPEP 2142.

In view of the foregoing, the applicants respectfully request that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

/Robert M. McDermott/
Robert M. McDermott, Esq.
Registration Number 41,508
Phone: 804-493-0707
Fax: 215-243-7525

Please direct all correspondence to:
Larry Liberchuk, Esq.
Philips Intellectual Property and Standards
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9618
Fax: (914) 332-0615